

LIQUOR CONTROL DIVISION Frequently Asked Questions

Restaurant Beer and Wine (RBW) Licenses

O. What hours are allowable to sell beer and wine?

A. As a restaurant, beer and wine may be served between 11:00 a.m. to 11:00 p.m. The licensee shall be responsible for removing alcoholic beverages from patrons' possession prior to 11:00 p.m.

Q. Where may I serve beer and wine in my restaurant?

A. You may serve to patrons seated for table service who are intending to order food. All beer and wine purchases must be stated on the food bill. Beer and wine may not be purchased separately.

Q. May I hire a manager to manage my restaurant?

A. Yes. You must file a management agreement with the department for review and approval, within 30 days of employing a manager. The manager must also submit personal history statements and fingerprint cards for processing. The management agreement must clearly disclose the following information:

- Name, address, and telephone number of the manager
- Social security number (for individuals)
- FEIM number for management companies, etc.
- Amount of compensation
- Specific duties (licensee must retain ultimate control of licensed business)

Q. Where can I store my beer and wine?

A. A restaurant beer and wine license establishment must have a service bar. A service bar means an area where beer and wine are stored and prepared. Consumption of alcohol by patrons or any other person is not permitted at the service bar.

Q. I have a drive-up window; may I sell beer or wine from the window?

A. No. Beer and/or wine may only be consumed on the premises.

Q. May I serve beer and wine on my patio?

A. Yes. If the patio is defined on your floor plan and there is direct access to and from the patio area and the main licensed premises.

- Q. May I serve beer or wine to customers who are waiting to be seated?
- A. Yes. Beer or wine must only be offered in a designated waiting area and the customer must be intending to order food.
- Q. Can I cater an event with my Restaurant Beer and Wine license?
- A. Yes. If a catering endorsement is included on your license, you may cater a special event up to 100 miles from your licensed premises. The catering contract must show 65% of revenue from the sale of food. (MCA, 16-3-111)
- Q. Can I have gambling machines in my restaurant?
 - A. No. Gaming is not allowed with a Restaurant Beer and Wine license.
- Q. Can a customer purchase beer or wine to consume off premises?
- A. No. Patrons can only consume the product on premises. If the patron orders a "bottle" of wine, the patron may NOT take the wine off the premises at the time of departure.
- Q. Can a Restaurant Beer and Wine licensee sell a keg of beer?
 - A. No. This license is permitted for on-premises consumption only.